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11 *Attorneys for Google LLC*

12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

15 GOOGLE LLC, | CASE NO. 3:20-cv-06754-WHA
                                         Related to CASE NO. 3:21-cv-07559-WHA
16   Plaintiff,

17   vs.   **DECLARATION OF JAMES JUDAH IN
                                         SUPPORT OF SONOS, INC.'S
18 SONOS, INC.,   ADMINISTRATIVE MOTION TO
                                         CONSIDER WHETHER ANOTHER
19   Defendant.   PARTY'S MATERIAL SHOULD BE
                                         SEALED (DKT. NO. 431)**
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01980-00181/13803148.1

I, James Judah, declare and state as follows:

1.   I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am a partner at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC ("Google") in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2.   I make this declaration in support of Sonos, Inc.'s ("Sonos") Administrative Motion to Consider Whether Another Party's Material Should Be Sealed ("Administrative Motion") (Dkt. No. 431) filed in connection with Sonos's Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 ("Motion for Leave to Amend") (Dkt. 430). If called as a witness, I could and would testify competently to the information contained herein.

3.   Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos's Motion for Leave to Amend	Portions highlighted in green	Portions outlined in red boxes	Google
Exhibit 2 to the Declaration of Geoffrey Moss in Support of Sonos's Motion for Leave to Amend ("Moss Declaration") ("Exhibit 2")	Entire Document	Portions outlined in red boxes	Google
Exhibit 3 to the Moss Declaration ("Exhibit 3")	Entire Document	Portions outlined in red boxes	Google
Exhibit 4 to the Moss Declaration ("Exhibit 4")	Entire Document	Portions outlined in red boxes	Google
Exhibit 5 to the Moss Declaration ("Exhibit 5")	Entire Document	Portions outlined in red boxes	Google
Exhibit 6 to the Moss Declaration ("Exhibit 6")	Entire Document	Portions outlined in red boxes	Google
Exhibit 7 to the Moss Declaration ("Exhibit 7")	Entire Document	Portions outlined in red boxes	Google

Exhibit 9 to the Moss Declaration ("Exhibit 9")	Entire Document	Portions outlined in red boxes	Google
Exhibit 10 to the Moss Declaration ("Exhibit 10")	Entire Document	None	Google
Exhibit 11 to the Moss Declaration ("Exhibit 11")	Entire Document	Portions outlined in red boxes	Google
Exhibit 12 to the Moss Declaration ("Exhibit 12")	Entire Document	Portions outlined in red boxes	Google

4.   I understand that the Court analyzes sealing requests for motions for leave to amend infringement contentions pursuant to the "good cause" standard for non-dispositive motions. *See, e.g.*, *Mediatek Inc. v. Freescale Semiconductor, Inc.*, No. 11-CV-5341 YGR, 2013 WL 10996547, at *1 (N.D. Cal. May 10, 2013).

5.   The portions of Sonos's Motion for Leave to Amend outlined in red boxes contain references to Google's confidential business information and trade secrets, including details regarding source code, architecture, and technical operation of Google's products. The specifics of how these functionalities operate is confidential information that Google does not share publicly. Thus, I understand that the public disclosure of such information could lead to competitive harm to Google, as competitors could use these details regarding the architecture and functionality of Google's products to gain a competitive advantage in the marketplace with respect to their competing products. Google has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt. No. 92). Although Sonos's Administrative Motion sought to seal the portions of Sonos's Motion for Leave to Amend highlighted in green, Google only seeks to file under seal the portions outlined in red boxes. A less restrictive alternative than sealing would not be sufficient because the information sought to be sealed is Google's confidential business information and trade secrets but has been utilized by Sonos in support of Sonos's Motion for Leave to Amend.

6.   The portions of Exhibits 2, 3, 4, 5, 6, 7, 9, 11, and 12 outlined in red boxes contain references to Google's confidential business information and trade secrets, including details regarding source code, architecture, and technical operation of Google's products. The specifics of how these

1 functionalities operate is confidential information that Google does not share publicly. Thus, I

2 understand that the public disclosure of such information could lead to competitive harm to Google, as

3 competitors could use these details regarding the architecture and functionality of Google's products

4 to gain a competitive advantage in the marketplace with respect to their competing products. Google

5 has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES

6 ONLY and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt. No.

7 92). Although Sonos's Administrative Motion sought to seal the entirety of Exhibits 2, 3, 4, 5, 6, 7, 9,

8 11, and 12, Google only seeks to file under seal the portions outlined in red boxes. A less restrictive

9 alternative than sealing would not be sufficient because the information sought to be sealed is

10 Google's confidential business information and trade secrets but has been utilized by Sonos in support

11 of Sonos's Motion for Leave to Amend.

12   I declare under penalty of perjury under the laws of the United States of America that to the

13 best of my knowledge the foregoing is true and correct. Executed on December 27, 2022, in

14 Hillsborough, California.

15 DATED: December 27, 2022

16   By: _/s/ James Judah_____

17   James Judah

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